

Exhibit 4



Kobre & Kim – Trial Advocacy

Kobre & Kim is an AmLaw 200 firm focused on serving as special trial counsel alongside other law firms in high-stakes litigation requiring an aggressive, trial-focused strategy.

We are called upon because of our:

- **Award-winning trial advocacy.** We leverage our extensive courtroom experience to approach each case using an aggressive, trial-focused strategy. Our practice has been recognized as “Trial Firm of the Year” by *Main Justice* and our attorneys have been repeatedly named as “Litigators of the Week” by the *Daily Business Review*. Our trial practice group is led by Matthew Menchel, a nationally renowned trial lawyer, who is consistently praised by clients and legal industry peers for his advocacy skills, including in *Chambers & Partners USA* where he is cited as “an absolutely first-class trial practitioner,” and as “one of the best trial lawyers you will ever meet.” These strategies have led to our recognition as one of the top litigation firms by *Law360*, which noted that “the firm should be on the top of anyone’s short list for bet-the-company litigation.”
- **Conflict-free, special counsel.** Our unique conflict-free, special counsel model enables us to serve as co-counsel, and to work cooperatively and efficiently alongside the client’s regular outside legal team to help them enhance their own client relationships. By avoiding long-term commercial relationships, and the conflicts of interest that come with them, we maintain our independence as advocates ready to litigate against virtually any institution. This is particularly valuable in class and derivative actions where we are regularly called upon for our ability to take aggressive stances against major industry participants in litigations with various overlapping stakeholders.
- **Unique litigation strategy.** Our firm strategically uses litigation tools to establish a clear strategy and course of action for all of our matters. We use orders of proof to map out a case in its entirety and establish how the facts of the case, and the evidence supporting them, come together to form a legal argument that can be used, witness by witness, element by element, to guide the trial from the opening to its closing argument. We continuously update and discuss the order of proof to allow our team and our client to visualize where the case is going, and what we need to do to win.

Selective Engagements of Our Counsel

Trial Advocacy

- Representation of Dr. Salomon Melgen as special trial counsel in the highly publicized U.S. Department of Justice (DOJ) corruption case in the U.S. District Court for the District of New Jersey, resulting in a hung jury after a two-month trial. Following trial, the court granted our motion for judgment of acquittal on 7 of 18 counts charged, resulting in the DOJ dismissing all remaining charges with prejudice.
- Representation of Raoul Weil, former head of UBS Wealth Management and the highest-ranking Swiss banker to stand trial in the U.S., in obtaining an acquittal on allegations that he conspired with wealthy Americans to hide US \$20 billion in secret offshore accounts to avoid taxes. We were brought in as special trial counsel, where Matthew Menchel's cross-examinations of the key government witnesses and closing argument played a vital role in crippling the government's case. The jury acquitted Mr. Weil in under an hour, which the presiding judge acknowledged was due to Mr. Menchel's advocacy.
- Representation of Donald R. Wilson and DRW Investments in a bench trial against the Commodity Futures Trading Commission (CFTC) and allegations of manipulation of futures contracts. After a bench trial in the U.S. District Court for the Southern District of New York, the Court returned a verdict in favor of the defense and against the CFTC on all causes of action.
- Representation of Pankesh Patel in the highly publicized, eight-week "Foreign Corrupt Practices Act (FCPA) sting trial" in obtaining a novel ruling regarding the limits of U.S. jurisdiction under the FCPA. We went on to secure a judgment of acquittal in favor of Mr. Patel on an alleged substantive violation of the act and a charge that he conspired to launder money, while also obtaining a mistrial as to the remaining two charges against Mr. Patel. Ultimately the government dismissed the case entirely. Mr. Menchel's cross examination of the government's lead case agent was widely credited as the turning point in the case, including by the presiding judge.

Class Action Litigation

- Representation of plaintiffs in a vitamin C price-fixing antitrust class action involving a US \$147 million+ judgment against Chinese companies.
- Representation of several energy drink companies and certain former limited liability company members and investors in a federal court purported class and derivative lawsuit.
- Representation of an investment management firm and principals in class and derivative actions in the Superior Court of California and the U.S. District Court for the Southern District of New York, alleging breach of fiduciary duty and negligence, arising out of US \$280 million in investment losses.

- Representation of a large public company in connection with a civil antitrust class action regarding an alleged antitrust conspiracy.

Representative Personnel



Matthew I. Menchel (matthew.menchel@kobrekim.com – Miami) is nationally recognized for his extraordinary skill in the courtroom and has served as lead trial counsel in numerous high-profile complex civil and regulatory matters. Mr. Menchel regularly represents individuals, institutional and corporate clients in high-value commercial litigations involving fraud.

Mr. Menchel has been recognized by leading industry publications including *Chambers & Partners USA: Trial Lawyers*, where he is nationally ranked in Band 1 as a “fearless and relentless trial lawyer who can walk into a courtroom on any matter in any jurisdiction and command the issues.” He is commended for his “masterful trial work” and “way of communicating with the jury,” as well as his “ability to cross-examine a witness in very special and unique ways.” *The National Law Journal* named Mr. Menchel a “2015 Litigation Trailblazer” and *The Daily Business Review* has twice selected him as the “Most Effective Lawyer” for his trial wins in high-profile matters. The presiding judge on a highly publicized, eight-week trial publicly commented about Mr. Menchel’s trial skills stating “his cross examination was about as text-book an example of a vigorous cross examination as I’ve ever seen.”

Before joining Kobre & Kim, Mr. Menchel served in the DOJ as an Assistant U.S. Attorney, as well as Chief of the Criminal Division, in the U.S. Attorney’s Office for the Southern District of Florida. As Criminal Division Chief, he supervised more than 150 federal prosecutors and oversaw the Health Care Fraud Task Force. Prior to that, Mr. Menchel served in the Health Care Fraud Unit, where he investigated, prosecuted, and tried numerous cases involving the misbranding of products. Mr. Menchel previously served as a state prosecutor in the Manhattan District Attorney’s Office.



Hartley M. K. West (hartley.west@kobrekim.com – San Francisco) is an experienced trial lawyer who regularly represents individuals and major companies in large-scale litigation involving false statements, misrepresentations and fraud. Ms. West has handled matters involving product misbranding and false claims allegations, including a matter related to misleading marketing of products by a Fortune 50 company.

Before joining Kobre & Kim, Ms. West served as an Assistant U.S. Attorney in the Criminal Division of the U.S. Attorney’s Office for the Northern District of California, including as a supervisor in the Economic Crimes and Securities Fraud Section and as Criminal Health Care Fraud Coordinator. Earlier in her career, Ms. West was a litigator with McCutchen Doyle Brown & Enersen, LLP.

KOBRE & KIM

DISPUTES
AND INVESTIGATIONS



Steven G. Kobre (steven.kobre@kobrekim.com – New York), co-founder of the firm, is an experienced trial lawyer who has served as lead counsel in numerous high-value litigations and arbitrations. Mr. Kobre focuses on complex civil litigation, particularly disputes involving Fortune 500 companies and other large institutions.

Mr. Kobre is repeatedly recognized in leading industry publications, including *Chambers & Partners*, where he is acknowledged for being “unruffled under pressure,” and “not afraid of getting in and understanding the detail.” Clients call him “brilliant at keeping the big picture in mind” and note he is “really at the top of the field.”

Before establishing Kobre & Kim, Mr. Kobre served as an Assistant U.S. Attorney in the Criminal Division of the U.S. Attorney's Office for the Southern District of New York. Earlier in his career, Mr. Kobre worked as an Assistant District Attorney in the New York County District Attorney's Office, where he prosecuted a wide range of cases.